

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**1716 W. GIRARD AVE LP,  
Plaintiff,**

**CIVIL ACTION**

**v.**

**HFM CONSTRUCTION, INC., formerly  
known as “FHM CONSTRUCTION,”  
SCOTT MULDERIG, Individually and as  
Agent for the City of Philadelphia, and  
CITY OF PHILADELPHIA,  
Defendants.**

**NO. 16-4937**

**ORDER**

**AND NOW**, this 19th day of February, 2019, upon consideration of Defendants’ Motion for Summary Judgment (Document No. 49, filed May 19, 2018) and Plaintiff’s Response in Opposition to the Defendants’ Motion for Summary Judgment (Document No. 53, filed July 9, 2018), for the reasons stated in the accompanying Memorandum dated February 19, 2019, **IT IS ORDERED** that Defendants’ Motion for Summary Judgment is **DENIED**.

**BY THE COURT:**

/s/ **Hon. Jan E. DuBois**

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**DuBOIS, JAN E., J.**